

STATE OF INDIANA     )  
                              )  
COUNTY OF JASPER    )

SS:

JASPER CIRCUIT COURT

IN THE MATTER OF THE         )  
ADOPTION OF LOCAL CRIMINAL   )  
RULE #1                             )

MISCELLANEOUS ENTRY

ORDER ADOPTING LOCAL RULE

The Court, pursuant to its authority under Trial Rule 81(A), now finds on its own accord that the Jasper County Circuit Court is in need of a rule to comply with the provisions of Indiana Criminal Rule 2.2 because of the appointment of the Honorable John D. Potter as Judge of the Circuit Court, by Governor Mitchell E. Daniels on February 17, 2006; and,

The Court finds that pursuant to Trial Rule 81(D), that there is good cause to deviate from the schedule established by the Division of State Court Administration and adopt this Local Rule immediately and make the same effective as of February 17, 2006; and,

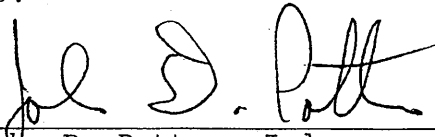
The Court finds that the Clerk of this Court shall post a copy of this Order and Local Criminal Rule #1 for a period of not less than thirty days in the Clerk's Office in the courthouse and forward and direct a copy to all members of the practicing bar of Jasper County, Indiana;

The Court further finds that the Court should accept comments on this rule for a period of forty-five days and should review said rule and make any necessary amendments within sixty days of today's date.

IT IS THEREFORE ORDERED AND DECREED by the Court Local Rule Criminal Rule #1 shall be a local rule of this Court.


FURTHER ORDERED that the Clerk of the Circuit Court of Jasper County is ordered to provide a copy to all members of the practicing bar in Jasper County, Indiana, and post this Order and a copy of said Rule in the Office of the Clerk of Jasper County for a period of no less than thirty days.

ORDERED THE 17TH DAY OF FEBRUARY, 2006. ENTERED THIS 28TH DAY OF FEBRUARY, 2006.

  
\_\_\_\_\_  
John D. Potter, Judge  
Jasper Circuit Court

**FILED**  
IN OPEN COURT

FEB 28 2006

  
Clerk of the Jasper Circuit Court

JASPER COUNTY CIRCUIT COURT

Local Criminal Rule #1  
(Pursuant to Indiana Rule of Criminal Procedure 2.2)

A. Alternating felony and misdemeanor cases are filed in the Jasper County Circuit Court; which is one of two courts of general criminal jurisdiction in the 30th Judicial Circuit.

1.) In the event the regular presiding judge of the Jasper Circuit Court finds it necessary to recuse himself from a felony or misdemeanor proceeding due to his prior service as a Jasper County Public Defender or as a private attorney, the case shall be assigned to one of the following judges who have agreed to serve:

The Honorable J. Philip McGraw, Jasper Superior Court; or the current Judge Pro Tempore of the Jasper Superior Court; and

The Honorable E. Duane Daugherty, Senior Judge

Assignments shall be in consecutive order from the above list.

2.) In the event the regular presiding judge of the Jasper Circuit Court finds it necessary to recuse himself from a felony or misdemeanor proceeding for any reason other than the regular judge's presiding prior services as a Jasper County Public Defender or as a private attorney, the case shall be assigned to one of the following judges who have agreed to serve:

The Honorable Daniel J. Molter, Newton Superior Court;

The Honorable Rex W. Kepner, Benton Circuit Court; and

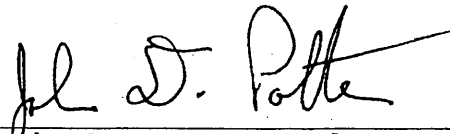
The Honorable Robert B. Mrzlack, White Superior Court

Assignments shall be in consecutive order from the above list.

3.) In the event an assignment is made only to be followed by a dismissal upon the State's motion, that the same judge shall remain as the assigned judge for any charges filed against the same defendant for six (6) months subsequent to the dismissal.

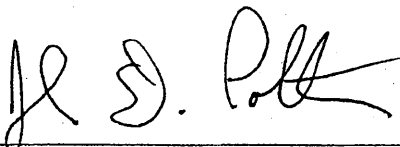
B. In the event no judge is able to serve, or the case presents a unique set of circumstances which preclude assignment under this rule, the Indiana Supreme Court will be requested to appoint a special judge for the case.

[Effective February , 2006]

  
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John D. Potter, Judge  
Jasper Circuit Court

CERTIFICATE OF SERVICE

I, John D. Potter, Judge of the Jasper Circuit Court, hereby certify that I have served a copy of this rule by first class mail to the Clerk of the Supreme Court and Court of Appeals of Indiana pursuant to Trial Rule 81.

  
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John D. Potter, Judge  
Jasper Circuit Court

**FILED**  
IN OPEN COURT  
FEB 28 2006

  
Clerk of the Jasper Circuit Court